IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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BENJAMIN WITTES,) Civil Action No. 1:17-cv-01627-RC
Plaintiff,)
V.)
U.S. DEPARTMENT OF JUSTICE and OFFICE OF MANAGEMENT AND BUDGET,)))
Defendants.)))

JOINT STATUS REPORT

Plaintiff Benjamin Wittes and Defendants United States Department of Justice ("DOJ") and the Office of Management and Budget ("OMB") (collectively, "Defendants") respectfully submit this Joint Status Report pursuant to the Court's Order of August 29, 2018. The parties incorporate by reference their Joint Status Reports of October 12, 2017, November 13, 2017, December 12, 2017, January 29, 2018, May 25, 2018, June 29, 2018, July 30, 2018, August 29, 2018, and October 22, 2018 (ECF Nos. 8, 10, 11, 13, 16, 17, 18, 19, and 21). The parties report as follows:

- 1. On August 11, 2017, Plaintiff initiated this action under the Freedom of Information Act ("FOIA") against OMB and DOJ. The Complaint alleges that this action involves FOIA requests dated April 14, 2017, and submitted to, in relevant part, DOJ's Office of Information Policy ("OIP"), DOJ's National Security Division ("NSD"), and OMB.
- 2. OMB completed its processing of Plaintiff's request on February 28, 2018. OMB located no records responsive to Plaintiff's request.
- 3. NSD completed its processing of Plaintiff's request and made a release of responsive, non-exempt records on February 7, 2018.

- 4. OIP conducted a keyword-based search for records and released non-exempt portions of responsive records in two releases, on March 1, 2018 and April 4, 2018.
- 5. On June 12, 2018, Plaintiff and OIP reached an agreement to resolve certain issues in dispute in this litigation, pursuant to which, among other things, OIP agreed to conduct a narrowed search for certain records.
 - 6. OIP completed the agreed-upon narrow search on July 24, 2018.
- 7. On October 16, 2018, OIP made a supplemental release of non-exempt portions of responsive records.
- 9. The parties intend to meet and confer regarding a potential request for attorneys' fees.
- 10. Accordingly, the parties respectfully request that they file another Joint Status Report on or before January 4, 2019.

Dated: November 29, 2018

Respectfully submitted,

/s/ Laurence Schwartztol
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